

HB 2567 - S COMM AMD
By Committee on Judiciary

ADOPTED 03/02/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 9.91 RCW
4 to read as follows:

5 (1) The definitions in this subsection apply throughout this
6 section unless the context clearly requires otherwise.

7 (a) "Iodine matrix" means iodine at a concentration greater than
8 two percent by weight in a matrix or solution.

9 (b) "Matrix" means something, as a substance, in which something
10 else originates, develops, or is contained.

11 (c) "Methylsulfonylmethane" means methylsulfonylmethane in its
12 powder form only, and does not include products containing
13 methylsulfonylmethane in other forms such as liquids, tablets, capsules
14 not containing methylsulfonylmethane in pure powder form, ointments,
15 creams, cosmetics, foods, and beverages.

16 (2) Any person who knowingly purchases in a thirty-day period or
17 possesses any quantity of iodine in its elemental form, an iodine
18 matrix, or more than two pounds of methylsulfonylmethane is guilty of
19 a gross misdemeanor, except as provided in subsection (3) of this
20 section.

21 (3) Subsection (2) of this section does not apply to:

22 (a) A person who possesses iodine in its elemental form or an
23 iodine matrix as a prescription drug, under a prescription issued by a
24 licensed veterinarian, physician, or advanced registered nurse
25 practitioner;

26 (b) A person who possesses iodine in its elemental form, an iodine
27 matrix, or any quantity of methylsulfonylmethane in its powder form and
28 is actively engaged in the practice of animal husbandry of livestock;

29 (c) A person who possesses iodine in its elemental form or an

1 iodine matrix in conjunction with experiments conducted in a chemistry
2 or chemistry-related laboratory maintained by a:

3 (i) Public or private secondary school;

4 (ii) Public or private institution of higher education that is
5 accredited by a regional or national accrediting agency recognized by
6 the United States department of education;

7 (iii) Manufacturing facility, government agency, or research
8 facility in the course of lawful business activities;

9 (d) A veterinarian, physician, advanced registered nurse
10 practitioner, pharmacist, retail distributor, wholesaler, manufacturer,
11 warehouseman, or common carrier, or an agent of any of these persons
12 who possesses iodine in its elemental form, an iodine matrix, or
13 methylsulfonylmethane in its powder form in the regular course of
14 lawful business activities; or

15 (e) A person working in a general hospital who possesses iodine in
16 its elemental form or an iodine matrix in the regular course of
17 employment at the hospital.

18 (4) Any person who purchases any quantity of iodine in its
19 elemental form, an iodine matrix, or any quantity of
20 methylsulfonylmethane must present an identification card or driver's
21 license issued by any state in the United States or jurisdiction of
22 another country before purchasing the item.

23 (5) The Washington state patrol shall develop a form to be used in
24 recording transactions involving iodine in its elemental form, an
25 iodine matrix, or methylsulfonylmethane. A person who sells or
26 otherwise transfers any quantity of iodine in its elemental form, an
27 iodine matrix, or any quantity of methylsulfonylmethane to a person for
28 any purpose authorized in subsection (3) of this section must record
29 each sale or transfer. The record must be made on the form developed
30 by the Washington state patrol and must be retained by the person for
31 at least three years. The Washington state patrol or any local law
32 enforcement agency may request access to the records:

33 (a) Failure to make or retain a record required under this
34 subsection is a misdemeanor.

35 (b) Failure to comply with a request for access to records required
36 under this subsection to the Washington state patrol or a local law
37 enforcement agency is a misdemeanor."

ADOPTED 03/02/2006

1 On page 1, line 1 of the title, after "precursors;" strike the
2 remainder of the title and insert "adding a new section to chapter 9.91
3 RCW; and prescribing penalties."

EFFECT: The two newly created crimes are placed in separate subsections. By giving each crime its own citation, more accurate criminal record statistics will be possible.

--- END ---